

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES FIDELITY AND
GUARANTY COMPANY

Plaintiff,

vs.

Hon. Paul D. Borman
Case No. 2:07-CV-12665
Referral Judge: Steven R. Whalen

NATIONAL UNION FIRE INSURANCE COMPANY OF
PITTSBURGH, PA; AMERICAN INTERNATIONAL
GROUP, INC.; and AIG TECHNICAL SERVICES, INC.,

Defendants.

**STIPULATION AMENDING PLAINTIFF'S COMPLAINT TO WITHDRAW
CLAIMS AGAINST DEFENDANTS AMERICAN INTERNATIONAL
GROUP, INC. AND AIG TECHNICAL SERVICES, INC. AND TO
DISMISS DEFENDANTS AMERICAN INTERNATIONAL
GROUP, INC. AND AIG TECHNICAL SERVICES, INC.**

The parties hereby stipulate and agree as follows:

1. The actions taken, if any, by American International Group, Inc., AIG Technical Services, Inc., and/or AIG Domestic Claims, Inc. and/or their employees or agents, related to the matters captioned *Jerry Ashley v. National Steel, Inc., et al*, Wayne County Circuit Court Case No. 03-316563-NO and *National Steel v. Nation Union, et al.*, Wayne County Circuit Court, Case No. 04-405256-CK were taken on behalf of, and authorized by, National Union Fire Insurance Company of Pittsburgh, PA ("National Union") and, as related to this litigation, National Union shall be responsible for such actions taken, if any, by American International Group, Inc., AIG Technical Services, Inc., and/or AIG Domestic Claims, Inc. and/or their employees or agents;

2. Plaintiff's Complaint is amended to withdraw and dismiss all allegations

against American International Group, Inc. and AIG Technical Services, Inc. without prejudice and Plaintiff shall dismiss American International Group, Inc. and AIG Technical Services, Inc. without prejudice. National Union need not file an Answer to the Amended Complaint as its previous Answer shall stand in its place;

3. This stipulation to amend Plaintiff's Complaint to withdraw and dismiss all allegations against American International Group, Inc. and AIG Technical Services, Inc. shall not be used as a defense by National Union in this litigation, as it relates to the actions taken, if any, by American International Group, Inc., AIG Technical Services, Inc. and AIG Domestic Claims, Inc., and/or their employees or agents, with regard to the matters captioned *Jerry Ashley v. National Steel, Inc., et al*, Wayne County Circuit Court Case No. 03-316563-NO and *National Steel v. National Union, et al*, Wayne County Circuit Court Case No. 04-405256-CK, except only to the extent that disputed issues are resolved by this stipulation;

4. National Union shall be obligated to make the employees, agents and/or records keepers of American International Group, Inc., AIG Technical Services, Inc. and AIG Domestic Claims, Inc. available for deposition and trial the same as if American International Group, Inc., AIG Technical Services Inc., and AIG Domestic Claims, Inc. were parties to this litigation, preserving all protections, privileges, rights and objections to which a party is entitled;

5. National Union shall be obligated to respond to all discovery in this litigation the same as if such discovery were also directed to American International Group, Inc., AIG Technical Services, Inc. and AIG Domestic Claims, Inc., as parties to this litigation, preserving all protections, privileges, rights and objections to which a party

is entitled.

A stipulated order confirming the terms of this stipulation, amending Plaintiff's Complaint to dismiss American International Group, Inc. and AIG Technical Services, Inc., is hereby submitted to the Court for entry contemporaneous with the filing of this stipulation.

s/James E. Tamm

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s/Charles W. Browning

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